

# Private Sale of Decedent's Real Estate Checklist

*Pursuant to local and state Orphans' Court Rules*

Certificate of Compliance

AND/OR

Confidential Information Form

AND/OR

Confidential Document Form

Petition (PA OC Rule 5.11, Local Rules 5.11(A))

- Complete and with signature

Exhibits (Local OC Rule 5.10(d), Local Rules 5.11(b))

- Copy of the will, deed or decree by which the fiduciary was appointed
- Any consents of joinders of interest parties and the names, and a copy of the notice which has been given to those parties
- Consent by any mortgagee whose lien would otherwise not be discharged by the sale
- Agreement of sale
- Full description of the subject real estate with recital of title
- At least two affidavits from two competent persons who are not interested in purchasing the property saying they have inspected the property being sold, are acquainted with the value, that the proposed agreement is more monetarily than would be achieved at public sale and that they are acquainted with the locality of the property to be exchanged.

Signed verification

Citations for all interested parties

Certificate of Service

Order for Hearing

Final Decree

**\*\* Disclaimer \*\***

These checklists are for review of the Clerk of the Orphans' Court only, and do not constitute a full legal review of the filing. The Clerk of the Orphans' Court will not review filings for substantive compliance with statutes, court rules, court mandated forms, and other procedures. A full legal review will be conducted by the Senior Legal Review Officer. For checklists used by Court Administration, please go to <http://www.buckscounty.org/Courts/CourtAdministration> or call 215-348-3411. To ensure compliance with substantive law is adequate, the Clerk of the Orphans' Court recommends consulting with an attorney.